



INSTRUCTIONS FOR REQUESTING AN ADMINISTRATIVE REVIEW OF PARKING VIOLATION

The registered owner, driver or lessee of the cited vehicle must request an administrative review of the parking violation within 10 days of the date printed on the front of the violation. If a review is not requested within the specified time, there is no further right of administrative review. The request may be made by mailing a written explanation of why you believe the vehicle was cited in error to the Parking Services Manager, P.O. Box 88, Leesburg, VA 20178, or by hand delivery of the written explanation to the Department of Finance, Town Hall, 25 West Market Street, Leesburg, VA (Monday – Friday 8:30 AM to 4:00 PM, excluding holidays).

Your appeal will be reviewed and you will be notified of the decision by return mail within 7 days. If for any reason you do not receive notification, it is your responsibility to contact the Parking Services Manager to determine whether or not your appeal was approved.

ITEMS TO BE INCLUDED WITH YOUR REVIEW:

Include all items that may apply to your case (pictures, diagrams of area in question and how vehicle was parked, witness statements, etc.). Simple statements challenging the violation are not acceptable (i.e. "Time was still showing on the meter"; "Vehicle was not parked over time limit").

• METER MALFUNCTION

Exact location of meter, time of day that coins were deposited in meter, denomination of coins inserted in meter (i.e. 2 quarters, 1 dime, 3 nickels, etc.), reason for malfunction (i.e. meter ran fast, wouldn't take coins, etc.).

• PARKED IN A SPACE FOR DISABLED

A copy of your current disabled placard and DMV placard identification card or vehicle registration showing the identifying disabled parking license plate number.

• **STORAGE OF VEHICLE IN TOWN GARAGE**

Proof the vehicle had been moved within the 48 hour period of enforcement. No vehicle will be stored in the town garage. Any vehicle left unattended for a period of 48 hours or more will be issued a citation and if not moved within 48 hours after the placement of the citation, may be towed at the owner's expense.

• **PERMIT VIOLATIONS**

A valid permit is required for any vehicle parked in an area where signs indicate a permit regulation. All permits are not valid in all areas. Permit holders should read and understand their parking privilege. A permit violation shall not be dismissed because a permit holder did not know that his/her permit was not valid in the area where he/she was cited. Non-display of a permit is a violation of parking regulations and multiple violations for this infraction may not be dismissed.

• **VEHICLE BREAKDOWN**

If a vehicle suffers a mechanical breakdown and if reasonable efforts are made to have the vehicle removed from the street or parking garage, a violation for illegal parking issued while the vehicle was incapacitated may be dismissed. To maintain "mechanical breakdown," three elements must be proven:

1. The applicant must prove that the breakdown actually occurred.
2. The applicant must prove that the vehicle was not illegally parked before the breakdown occurred.
3. Reasonable steps must have been taken to remove the vehicle from the situation that caused the violation.

UNACCEPTABLE DEFENSES:

• **"Making Change"**

The law requires activation of the parking meter within the time required to park, deposit the necessary coin(s), and activate the meter. The driver must consider this before deciding to park.

• **"Going to the restroom"**

This is a risk all drivers take and is never an adequate excuse for illegal parking.

• **"Short errands," "I was only a few minutes"**

No errand, no matter how short or how important to the applicant (short of bona-fide medical emergency, not headache, cramps, thirst, etc.) is an acceptable excuse for illegal parking.

• **"Doctor/Dentist appointment," "Business or Personal appointment,"**

Like other citizens, the operator of a motor vehicle must plan a way to arrive on time for an appointment without parking illegally, and if this is not done he/she must accept the responsibility.

• **"No place else to park"**

It is the driver's responsibility to locate legal parking.

- “I had permission,” “The parking services officer saw me and didn’t say anything, or said it was O.K. for a few minutes, etc.”

Nobody, including a parking services officer has the right to grant permission to park illegally.

- “I left someone in my car,” “I left my parking lights on or blinking,” “I left a note on my car,” “The motor was running”

The purpose of parking regulations is to restrict from certain areas motor vehicles that are not in motion. The presence of a passenger, a note or blinking lights does not satisfy this purpose and, therefore, does not constitute a reason for dismissal of the violation.

- “Ran out of gas”

Running out of gas is not an acceptable defense. It is the responsibility of all vehicle operators to insure that their vehicles can be operated in a safe manner.

- “Nobody else got a ticket”

At the time the Parking Services Officer came through the area, other vehicles may or may not have been parked illegally. The parking services officer may have had to leave the area before checking the other vehicles.

- “This violation has not been enforced in the past,” “I’ve done it for years,” “Everybody does it”

The town may not fully enforce all parking laws for a variety of reasons: oversight, inadequate staffing, other priorities, etc., may give rise to violations in some parts of the town. However, apparent failure to enforce any parking regulation does not constitute a valid defense when a citation has been issued. Nobody is to be rewarded for “getting away” with prior violations.

- “Out of town driver,” “Do not read English”

A driver from out-of-town is required to be familiar with and obey all laws and regulations as a condition of being granted the privilege of operating a vehicle on public streets. The ability to understand and abide by signs regulating the operation of motor vehicles is a condition for being granted a license to drive.

- “The fine is too high”

The fines set by the town apply to all motorists equally. The fines are not variable and may not be reduced in the absence of a legally proper reason to do so.